

REMARKS

This Request for Reconsideration is offered in response to the Office Action of April 12, 2006, which re-opened prosecution after the filing of an Appeal Brief.

The Office Action rejects Claims 1-6, 8-11 and 13-14 under 35 U.S.C. §101 as directed to non-patentable subject matter as allegedly no concrete or tangible result is produced. Similarly, the Office Action rejects the claims under 35 U.S.C. §112, first paragraph, for lack of enablement.

Attached to the amendment dated July 30, 2003 is a partial list of companies that have utilized the LEGO Serious Play concept which is the commercial embodiment of the presently claimed invention. Additionally attached to the amendment dated July 30, 2003 are testimonials from the participants. The testimonials clearly establish the concrete and tangible results which were obtained.

Additionally, as stated in State Street Bank & Trust v. Signature Financial Group, 47 USPQ2d 1596, 1600 (Fed.Cir. 1998), “The plain and unambiguous meaning of §101 is that any invention falling within one of the four stated categories of statutory subject matter [process, machine, manufacture, or composition of matter] may be patented ...”. It is respectfully submitted that the present invention is a new and useful process and is patentable under Title 35 of the U.S. Code, including section 101 as well as section 112, first paragraph.

The Office Action rejected Claims 1-6, 8-11, 13 and 14 under 35 U.S.C. §102(b) as being anticipated by the Technotown reference (a *Technology Teacher* article entitled “Technotown – A School-wide Design Technology Project”).

The Technotown reference is very different from the presently claimed invention. The Technotown reference recounts merely providing LEGO® blocks to school children for the building of physical models of cities. There is absolutely nothing in the Technotown reference relating to organizational or business issues and likewise has nothing to do with understanding organizational and relationship issues through the use of narrative or metaphor. More specifically, there is nothing relating to using “building blocks to serve as physical metaphors” as recited in Claim 1 of the present application, nothing relating to “the topic involves business planning” as recited in Claim 2, nothing relating to “at least one of the metaphors represents a customer of a company”, etc.

It is therefore respectfully submitted that the presently pending claims are patentable over the Technotown reference.

It is therefore further respectfully submitted that the Request for Information is misdirected and is therefore respectfully traversed.

For all of the reasons above, it is respectfully submitted that all of the presently pending claims are in immediate condition for allowance. The Examiner is respectfully requested to withdraw the rejections of the claims, to allow the claims, and to pass this application to early issue.

Respectfully submitted,



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